

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS DENTON

Plaintiff,

v.

FRED FOGUEROG, *et al.*,

Defendants.

Case No. C10-5093RJB/JRC

REPORT AND RECOMMENDATION
TO DENY IN FORMA PAUPERIS
STATUS

NOTED FOR:
June 25, 2010

This Civil Rights Action filed pursuant to 42 U.S.C. § 1983 has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrate Judge's Rules MJR 1, MJR 3, and MJR 4.

Plaintiff has paid the full filing fee and he did so when this action was filed (Dkt. # 1, receipt # T-6961). He has moved for in forma pauperis status and states he borrowed the money to file this action from family (Dkt. # 5, 6, and 7). He states that he wishes the court to serve the action for him. Plaintiff was ordered to provide a copy of his inmate trust account on April 13, 2010 (Dkt. # 8). The court ordered the document be sent to court by May 21, 2010. Plaintiff then sent a letter to court asking if service of the complaint by certified mail would be sufficient (Dkt. # 10). On April 30, 2010, the court responded that plaintiff must follow the Federal Rules

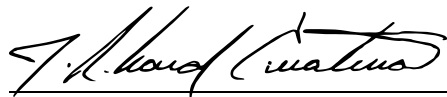
REPORT AND RECOMMENDATION- 1

1 of Civil Procedure. (Dkt. # 11). No further pleadings or communications of any kind have been
2 received from plaintiff. No inmate trust account information was ever provided and it appears
3 plaintiff has abandoned his attempt to receive in forma pauperis status.

4 Accordingly, the court recommends that the motion to proceed in forma pauperis be
5 DENIED. Plaintiff should be given until July 30, 2010, to perfect service as required by Fed. R.
6 Civ. P. 4 and as previously ordered (Dkt. # 4).

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8 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil
9 Procedure, the parties shall have fourteen (14) days from service of this Report to file written
10 objections. See also Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those
11 objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140 (1985). Accommodating the
12 time limit imposed by Rule 72(b), the clerk is directed to set the matter for consideration on June
13 25, 2010, as noted in the caption.

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15 Dated this 2nd day of June, 2010.

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18 J. Richard Creatura
19 United States Magistrate Judge
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